

# **Congress of the United States**

**Washington, DC 20515**

March 4, 2015

The Honorable Tom Wheeler  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington DC 20554

Dear Chairman Wheeler:

We write supporting the original proposal by Rural Broadband Services Corporation Inc. (RBSC) for a grant from the Federal Communications Commission's Rural Broadband Experiments proposal to support high speed broadband service in rural Oklahoma and in support of their February 18, 2015 Application for Review of the Commission's denial for a request for a waiver of the requirement to submit three years of audited financials related to their proposal.

Access to digital resources is important to communities—and the gap between Americans who have access to telecommunications and information technologies and those who do not, is more tangible and most deeply felt by Americans in rural areas and on Tribal Lands. The proposal submitted by RBSC would extend modern digital networks into rural, high-cost areas through a fiber cable infrastructure, providing affordable Gigabit broadband service to many large users, including the Cherokee Nation and other “anchor institutions” such as schools and universities, libraries, hospitals and health care clinics throughout the planned service area in Northeastern Oklahoma.

The Commission prioritized funding for RBSC's proposal, recognizing its cost-competitive proposal would improve the economic vitality of Oklahoma's rural and Tribal areas and enhance the quality of life for those impacted, while supporting the national goal of enhancing telemedicine and distance learning within rural America. However, on January 30, RBSC was one of fifteen entities unilaterally removed from further consideration when the Commission refused to evaluate the entities' individual financial qualifications because such an evaluation would be “resource intensive” and require a “protracted effort”—despite previous communications indicating the Commission would consider such issues on a case-by-case basis.

The decision to unilaterally reject any entity without three years of audited financials strikes us as capricious, especially in the case of RBSC, which as a start-up entity that, by definition, would not have three years of financial history to audit, willingly provided supplemental documentation providing concrete evidence of their ability to fulfill their responsibilities. Reviewing such documentation is the responsible course of action, especially when the Commission is acting as a steward of limited resources being distributed in a competitive process and has already recognized RBSC for having a cost-competitive proposal.

We urge the Commission to, upon review of RBSC's February 18, 2015 Application for Review, grant RBSC's waiver request and actually review the supplemental financial documentation they

have already provided to the Commission. We appreciate your thoughtful consideration of our request and of RBSC's original proposal to bring high speed broadband service to rural and Tribal Oklahoma.

Sincerely,



James M. Inhofe  
United States Senator



Tom Cole  
Member of Congress



Jim Bridenstine  
Member of Congress



Markwayne Mullin  
Member of Congress